

COUNTY OF YORK

MEMORANDUM

DATE: August 24, 2005 (BOS Mtg. 9/20/05)

TO: York County Board of Supervisors

FROM: James E. Barnett, County Attorney



SUBJECT: Amendment to County code § 14-27 (d) regarding the licensing of bail bondsmen

The 2004 General Assembly adopted House Bill 1057, amending the manner in which bail bondsmen are licensed in Virginia. By its terms, the legislation became effective on July 1, 2005. Previously, an applicant for a bail bondsman license was required to obtain a certificate from the local circuit court judge (after posting bonds and fulfilling certain other application requirements), which certificate would authorize the bail bondsman to conduct business in any locality in the Commonwealth. Now, bail bondsmen are licensed at the state level through the Virginia Department of Criminal Justice Services, although the bail bondsman may be required to obtain a BPOL license in a locality in which the bail bondsman's main place of business is located. This change requires a relatively minor amendment to County code § 14-27 (d) in a footnote to that section which requires that the bail bondsman cannot receive his local business license without first complying with applicable state law. I have drafted an amendment to state that the bail bondsman applying for a local business license must first have received a license from the Virginia Department of Criminal Justice Services, deleting references to the now outdated procedure whereby the bondsman would obtain a certificate from the local circuit court judge. For the sake of economy, the attached ordinance does not set out Code subsections (a) – (c), which are lengthy and not affected by this proposed amendment.

I recommend the adoption of the attached ordinance.

Barnett/3440:sw
Attachment

- Ordinance No. 05-23